

**MINUTES OF A SPECIAL PUBLIC HEARINGS HELD BY THE BOARD OF
TRUSTEES OF THE INCORPORATED VILLAGE OF MASTIC BEACH ON
WEDNESDAY, JUNE 26, 2013 AT
TOWN OF BROOKHAVEN SENIOR NUTRITION CENTER,
369 NEIGHBORHOOD RD, MASTIC BEACH, NEW YORK AT 5:00PM**

The meeting was called to order at 5:04 PM by Mayor Biondi with 16 residents in attendance.

Mayor Biondi led the audience in the Pledge of Allegiance and a Moment of Silence.
Roll Call was taken by the Village Clerk.

In attendance: Mayor Biondi, Deputy Mayor Stiriz, Trustee Morrow, Trustee Cappiello,
Trustee Busa

Absent: Deputy Mayor Stiriz

Also Present: Village Attorney Brian Egan
Attorney Christopher Bianco
Village Clerk Susan Draghi

Guest Speaker: Chic Voorhis – Nelson, Pope and Voorhis

Upon Motion made by Mayor Biondi, seconded by Trustee Morrow and unanimously carried, it was RESOLVED Accept the Minutes of June 5, 2013 Work Session.

Upon Motion made by Mayor Biondi, seconded by Trustee Busa and unanimously carried, it was RESOLVED Accept the Minutes of June 11, 2013 Planning Board Meeting.

Upon Motion made by Mayor Biondi, seconded by Trustee Cappiello and unanimously carried, it was RESOLVED Accept the Minutes of June 11, 2013 Monthly Public Meeting

Upon Motion made by Mayor Biondi, seconded by Trustee Cappiello and unanimously carried, it was RESOLVED to Set A Public Hearing for July 9, 2013 requesting a 4-way stop sign on Aspen Rd and Daisy Dr.

Village Clerk read the Public Notice for the purpose of the Public Hearing considering comments regarding a Draft Generic Environment Impact Statement (DGEIS)

Mayor Biondi introduced Chic Voorhis of Nelson, Pope and Voorhis.

Mr. Voorhis addressed the audience explaining that his firm has been retained by the Village of Mastic Beach as the consultant to assist in the preparation of the environmental impact statement. Mr. Voorhis explained that DEIS is the highest level of environment review.

PUBLIC HEARING – Draft Environmental Impact Statement and Proposed Zoning Code

Tom Fox: Work of Zoning Commission is complete. If there are changes to what the Zoning Commission submitted is there now a disconnect with doing the environmental impact study?

Mr. Voorhis: Because of the large amount of work done by the Zoning Commission and it forms the proposed project. Purpose of the SEQRA process is to get the public input and I think it's well suited. It gives a very large amount of information to the Village. After any questions or concerns we can mold it for the final EIS.

Frank Cappiello: Zoning is a living thing and changes constantly. Do you do a SEQRA every time you change a zoning?

Mr. Voorhis: Sometimes it is necessary, it depends. Attorney Egan addressed Mr. Cappiello by saying that zoning changes every day, as the needs change.

Victor Viola: When he was involved with the Zoning Commission they took public comments very seriously and made changes and amendments as we went along but now with the information and SEQRA, the commission was not aware of this. With these changes will the zoning be revamped? Major changes coming?

Attorney Bianco: No major changes to the boundaries.

Victor Viola: I know there have been changes to the wetlands and very sensitive areas. Are these areas subject to change?

Attorney Bianco: So far we haven't changed any boundaries or language. We need to get the comments and comments on SEQRA. Once we have it all together than we can produce a final environmental impact statement.

Victor Viola: With these changes will there be major changes to the zoning that have already been established?

Village Attorney Egan: No, there won't be major changes at all. It is a process. Once it this done, the Board will have to have another set of public hearings. Everything the Commission did was excellent. We will continue to take input. Changes will have to happen.

Trustee Morrow: Asked Attorney Bianco, was the Zoning Board made aware of the process that would take place? The answer to Trustee Morrow's question by Attorney Bianco is yes.

Mr. Voorhis: The Zoning Commission is making recommendations to this Board but after a lot of hard work, but this Board is the only one who can lead under SEQRA and can ultimately adopt that zoning.

Victor Viola: We understand that there would be changes, just concerned about major changes and we were afraid that the Board would take all of our hard work and throw it out.

Mayor Biondi: Absolutely not, just need some fine tuning. Don't believe any rumors. If you hear any rumors please come and ask us.

Maura Sperry: Questioned the beginning time of the meeting on the website.

Ernie Hoffstaetter: Clarification on the documents. Will changes be highlighted? Complimented Jennifer Griffin on doing so and it was very helpful. Mayor Biondi said that the changes on the copies will be highlighted so everyone can see which changes have been made.

Jane Powers: Question addressed to Mr. Voorhis – Certain areas the Zoning Commission was unaware of.

Mr. Voorhis – The Village can adopt any zoning they want. Health Dept, for example, new development on a vacant lot depending on lot size, you're allotted so many gallons per day. A one family home is 300 gallons. A dry retail store is .30 per square foot of building. Article 6 of the Suffolk County of the Sanitary Code, establishes the threshold and can determine what will happen on these properties. DEC designates title and freshwater wetlands and typically you won't get a permit to build on 100% wetlands.

Tom Fox: In the DGEIS, a lot of the maps and soils composition, there are errors in them. Some are shown as filled, does it have to be in writing?

Mr. Voorhis: The maps were digitized by US Department of Agriculture. Original map came out in 1975 and has not been updated since 1975.

Maura Sperry: Asked about the comprehensive plan. Attorney Egan responded and reminded her that there is no law for adopting zoning. It is not an absolute requirement.

Tom Fox: Is it typical to include such a large area of water when evaluating? Mr. Voorhis has seen in it many areas.

Ernie Hoffstaetter: The area of the surface water, does count.

Jane Powers: Questioned the floating “X” zone.

Mr. Voorhis: If and when someone applies for a “X” zone, a SEQRA would be done at that time.

Maura Sperry: If someone wanted to put up a “gated community”, would that fall under the “X” zone?

Attorney Bianco: The “X” zone allows for certain “adult” establishments. We cannot exclude them under the 1st Amendment. The court has left it open for us to regulate it and put it in certain zones. We could require the owner or the person to meet certain strict requirements in order to use it properly.

Frank Cappiello: If we don’t have a floating “X” zone, they could open up these establishments anywhere they want. Attorney Egan answered, yes, they could.

Ann Petruso : Asked what the perimeters are for the “X” zone.

Attorney Egan: It is set out in the zoning codes of what the perimeters are.

Discussion of how the change of maps occurred. Attorney Egan addressed it by saying that change is constantly happening.

Mayor Biondi commented that we will keep it open for public comment for 10 days (July 15, 2013)

Mayor Biondi and Trustee Busa closed the public hearing at 5:52pm

A discussion was held regarding a new webmaster RFP.

Upon Motion made by Mayor Biondi, seconded by Trustee Cappiello and unanimously carried, it was RESOLVED to Authorize a Request for Proposal for a new webmaster.

Upon Motion made by Mayor Biondi, seconded by Trustee Cappiello and unanimously carried, it was RESOLVED to Enter Executive Session at 5:53PM.

Upon Motion made by Mayor Biondi, seconded by Trustee Cappiello and unanimously carried, it was RESOLVED to End Executive Session at 7:00 PM

Upon Motion made by Mayor Biondi, seconded by Trustee Cappiello and unanimously carried, it was RESOLVED to close the Special Public Meeting at 7:04 PM

Respectfully submitted,

Susan Draghi
Village Clerk

Dated: June 27, 2013